



DRAFT MINUTES

The Governor's Citizen's Traffic Stop Advisory Board

November 16, 2007

**Pinal-Gila Council for Senior Citizens Foundation Building
8969 W. McCartney Road
Casa Grande, Arizona**

Members Present: Chairman Mel Hannah, E. Lorenzo Jones, Tom Milldebrandt, Orlenda Roberts, and Sal Rivera.

Members Excused: Supervisor Liz Archuleta, Jay Cabou, Luis Fernandez, Zoe Hammer

Staff: Dora Vasquez, Director, Governor's office of Boards and Commissions

1. Introduction of Advisory Board Members/Call to Public: Chairman Mel Hannah began the meeting by making a short introductory statement reminding the members of the board that the goal of the board is to provide recommendations to the Governor as to policies and procedures for DPS regarding racial profiling. Chairman Hannah mentioned a recent article in the paper outlining a report from the University of Cincinnati regarding DPS and racial profiling by their officers. Mr. Hannah urged the board to strive toward setting a timeline for developing recommendations to the Governor. After his opening comment, Mr. Hannah asked the board members to introduce themselves.

He then stated that the first order of business was to announce a call to the public. Tad Roberts wanted to bring to the Board's attention some information about racial profiling in Casa Grande by members of the DPS GITEM squad. They have been in Casa Grande for three months for gang intervention, but it seems like they are profiling every young black man in the area. Mr. Roberts said he has personal knowledge of this as his son has been stopped twice. His son is a twenty-seven year old man and is not a gangbanger, but a responsible

citizen of the area. The first time he was stopped by GITEM he went out late night to get something to eat and the officers didn't seem to have any reason to stop him. The second time he was stopped was when he was coming from a local nightclub. Police stopped him because they said he was "weaving." They let him go once he passed the sobriety test. His nephew's brother was also stopped, for no apparent reason. He passed a sobriety test, but they took him to the police station and booked him. When Mr. Roberts and his nephew went to the police station to ask if they could be released to a third party, the DPS officers treated them like criminals. Mr. Roberts stated that their community has been experiencing racial profiling for a number of years now. When members of the community have tried to talk to their local police or the DPS officers, they have been told to "put it in writing." People in this smaller community are hesitant to do this as they think it might come back to haunt them. Mr. Roberts admits that their community has trouble with some of their black youths, but not everyone. He stated that it appears that the GITEM squad has stopped almost all of the young black men in Casa Grande. Mr. Roberts asked the Board if they could look into this and try to get this issue addressed and stopped.

The next public member to speak was Milan Zlojutro who lives in Chandler, Arizona. He stated that he has recently provided information to Director Vanderpool at DPS, Suzie Barr and Shannon Scutari at the Governor's Office and others in regard to electronic registration technology. When a car has everything in compliance (insurance, registration, etc.) then it is left off. However, if insurance, registration or some other issues is deemed illegal by DMV or DPS, and then this electronic registration would activate and show the vehicle's whereabouts automatically at an officer's in-car computer via a GPS relationship to the officer's vehicle. This system is ethno-neutral. It has only to do with issues, not individuals that should be a significant benefit to all communities.

2. Approval of Minutes, September 21, 2007: Chairman Hannah asked if there was any discussion regarding the minutes. There were no questions from the Board, but Chairman Hannah had two questions regarding information in the minutes. He referenced Page 9, Item 5 and asked if the board would be notified of all subcommittee meetings. Dora Vasquez stated that Governor's Staff would be responsible for posting subcommittee meeting notices and agendas. She also mentioned that keeping subcommittee minutes is a new requirement of the open meeting law changed during the last legislative session and effective in September 2007. His second question had to do with the structure of the subcommittees. Dora stated that the purpose of this was for the Policy Subcommittee to review the six items listed in the minutes and determine whether each of the six items should be individual subcommittees.

ACTION: Board member Mildebrandt motioned to approve the minutes; member Rivera seconded the motion and the motion passed unanimously.

3. Department of Public Safety Complaint and Discipline Manual:

At this point Chairman Hannah welcomed Chief Mike Longman, Agency Support Division of the Department of Public Safety. Chief Longman indicated he heard the comments made by Mr. Roberts of Casa Grande and has given him his contact information. Chief Longman said that this information concerns him and that Mr. Roberts issues will be relayed to Director Vanderpool.

Chief Longman said he tried to bullet point some of the issues on which he was asked to provide feedback.

*Copy of the DPS Complaint and Discipline Manual: Members had a copy to look at, but Chief Longman mentioned that it is not specific to racial profiling or bias-based policing allegations. He said that if the committee sees things that are specific to this committee's area of responsibility that they will let him know to see if DPS can improve these areas

*Enhancement to DPS Website: DPS has implemented the online complaint system available to the public; work is being done to link the racial profiling page of the website back to the information (meeting notices, etc) on this Board.

*The University of Cincinnati Traffic Stop Data Analysis Study has been posted on the DPS website in its entirety for public viewing.

Board member Mildebrandt asked if a hardcopy printout of the Cincinnati Report was available from DPS. Chief Longman stated that if any of the committee members wanted a hard copy, he would provide it, but because of the length of the report (200 pages) the public is able to print it out themselves.

4. Update on DPS Racial Profiling Citizen Complaint On-Line Process.

Chief Longman demonstrated via PowerPoint the Home page of the DPS website; he mentioned the Complaint Acceptance Form, where citizen's may submit a complaint. The on-line complaint will be routed to the Professional Standards Commander.

*Update on Bias Based Policing Allegations that we are currently processing by professional standards: From July 1, 2006 to December 31, 2006, DPS processed six complaints alleging racial profiling. None were sustained specific to racial profiling, but Chief Longman said he would say more about that in a few minutes. January 1, 2007 to current, they have had nine complaints alleging bias-based policing; all of those have been investigated and none sustained. There are currently four allegations that are being investigated by our Professional Standards Unit. Chief Longman went on to explain a "sustained" complaint. He stated that it is very difficult to "prove" bias-based policing unless the officer admits to it, so many times other regulations such as discourteous conduct to the public are found and the appropriate

disciplinary action taken. Unless someone observes a specific pattern of an officer targeting a specific group, it is difficult. However, many times in investigating these complaints, others concerns come to light that need to be looked into.

Board member Roberts asked if there is a tracking mechanism in place for complaints against officers. Chief Longman said yes, and mentioned that traffic stop data is sometimes pulled to see if any patterns emerge. Surveys are also done of the public to seek input as to their experiences were with a particular officer.

Board member Jones had a question about undocumented stops by officers as in the example stated by Board member Rivera at the last meeting. Chief Longman said that the example provided by Mr. Rivera was a breach of DPS policy. Officers are obligated to let someone know why they are being stopped and identify him or herself. Every stop is required to be documented and if not, they are in violation of policy.

Chief Longman showed a slide demonstrating the Complaint Acceptance Form. DPS has just hired a new Webmaster and they are trying to make a form that is easy to use. He asked for suggestions from the board. The form is scheduled to be completed by December of 2007.

Chief Longman stated that other officers from DPS would be willing to speak to this board regarding items that are within the board's scope. The Chief also said that this is an opportune time to be making changes as the Complaints and Discipline Manual is under review and suggestions for changes can be incorporated.

Chairperson Hannah again stated that a deadline should be established to thoroughly review DPS Complaints and Discipline Manual so the appropriate feedback can be given. Chief Longman stated that DPS is in full support of the board and that the Chief is only a phone call or email away.

Board member Jones made a comment that his notes from the last meeting reflected that there were some GITEM issues in Flagstaff as well. Chairman Hannah stated that issues specific to the GITEM squad could be addressed at the next meeting as long as it is within the jurisdiction of this board.

ACTION:

Board member Rivera made a motion to set a date of January 25, 2008 for a working meeting to discuss possible recommendations to DPS for policy and procedure changes and February 15, 2008 as the date to finalize and present the recommendations. The motion was seconded and passed unanimously.

Dora asked the board to describe their guidelines for formulating recommendations. Chairman Hannah asked the board what they wished to do. Board member Jones asked what the subcommittee's role is in the process to develop policy and procedures. Dora suggested that the board have one or

more conference calls to establish guidelines for reviewing and developing recommendations.

ACTION:

Mr. Jones made a motion and Mr. Rivera seconded a motion to have a conference call to establish guidelines. The motion passed unanimously. Dora will be responsible for setting up the call and contacting the committee members.

5.Attorney General’s Racial Profiling Guidance Overview. Ms. Melanie Pate introduced herself and stated that in addition to her role as the section chief for the Civil Rights Division she also serves as the Executive Director of the Arizona Civil Rights Advisory Board (ACRAB), which meets four or five times a year to discuss civil rights issues. The new chair of ACRAB would like their board to look at racial profiling issues in Arizona. In the future, the ACRAB chair thought that CTS Board and their Board could partner to do a public forum on racial profiling issues.

She commented on Chief Longman’s statement about how hard it is to find definitive proof that someone in law enforcement has violated civil rights policies. She suggested to the Board that they might want to recommend to DPS that the department look to violations of policy as possible evidence that racial profiling might have occurred. They need to look at the whole picture (all related information) to make their decisions.

Board members were given a copy of the Attorney General’s Racial Profiling Policy Guidance, which provides a format for law enforcement as to what might be included in policies and procedures relating to racial profiling. She suggested that the AG’s guidance could be used as a guideline for this board’s recommendations for changes to DPS policy and procedures. Ms. Pate reviewed some of the specifics of what was contained in the guidance. She mentioned to Chief Longman that the AG’s office already has an online complaint form for civil rights, so if DPS needs help with their form, the Attorney General’s office would be happy to help with that.

Chairman Hannah asked if there were any best practices being done by other law enforcement agencies for internal investigations of racial profiling since it is so hard to prove. Ms. Pate said that the Attorney General’s Office has best practices for civil rights issues which gets under the surface to make facts come to light, but she is not aware of any other law enforcement practices. Chairman Hannah asked Chief Longman if he is aware of anything and the Chief stated that he knows we are talking to other law enforcement agencies, but he will ask this question of their Professional Standards Unit.

6.Subcommittee Report. As a result of Dr. Fernandez’ absence at the meeting this item was tabled and will be place on the agenda for the next meeting.

7. Board Forum Board member Mildebrandt suggested that the Board get to know each other better by having more of a social gathering. The Board agreed and Dora suggested that the next board meeting be scheduled earlier in the day with a lunch before the meeting to allow the Board to get better acquainted. Mildebrandt also suggested that each board member have their own microphone to enable everyone to hear better. Dora said that the next meeting would be at the Capitol and staff would be able to accommodate his request.

8. Staff Report Dora mentioned that the Board has their own website with a link to DPS. She suggested that perhaps a link could be added to provide the public with access to the civil rights section on the Attorney General's Office. Board members agreed.

Call to the Public:

As several folks arrived late to the meeting Chairman Hannah provided the public with another opportunity to address the Board.

There were several members of the public who addressed the Board with specific complaints about the GITEM squad.

A summary of their complaints specific to activity in the Casa Grande community include:

- GITEM officers using derogatory language and racial slurs to the African American Community
- GITEM officers specifically targeting the African American youth.
- There is fear because of the feeling that GITEM is just waiting to see an excuse to stop and arrest them.

Chairman Hannah said that they can't dialogue about specific cases and referred the public to Ms. Pate of the AG's Civil Rights Division regarding local police matters. Mr. Hannah also mentioned that the public should talk to Chief Longman to learn how to file a racial profiling complaint against GITEM officers. Chairman Hannah then asked Chief Longman if GITEM is made up of all DPS officers or includes others. The Chief responded that GITEM is a task force made up of municipalities, county sheriff's office and some federal agencies, but overall DPS is responsible.

9. Next Meeting Date: In order to accomplish the Board's goal of having recommendations to the Governor by February the Board agreed on the following meeting dates:

- Teleconference call in early December to discuss guidelines for developing recommendations. Dora will contact the board s to schedule the meeting.
- Friday, January 25, 2008; time is to be determined. Location will be in Phoenix at the Capitol Tower.
- Friday, February 15, 2008 meeting to finalize recommendations.

10. Call To Adjourn

*Meeting minutes transcribed from tape by:
Ms. Sandy Chismark
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